Adoption Has No Age Limits: Adult Adoptions

Think back to when you were 18, 21, 40. Were your parents there for you? Were you able to handle everything you needed when you moved out? Or did you still come home to do laundry, check out the refrigerator, and bug your younger siblings? Were your parents at your wedding? Did you make vacation plans around your parents' holiday celebrations? Did your need for a family ever go away?

In Wisconsin, adoptions can occur at any age. There are many reasons why adoptions are finalized for adults, but one of the primary reasons is that being adopted creates a lifelong connection for the adult adoptee.

Dustin Bronsdon, who was adopted as an adult, says, "Family has always been important to me, and just because I turned 18, didn't mean that I don't still have a big need to belong."

He laughs and says, "My fiancée wasn't too thrilled to see that I had found the Bronsdon family crest and had it tattooed on my shoulder. But that's how much being part of a family means to me."

He says, "Being adopted lets you feel part of something—something real. It gives you an identity that was missing before."

There are generally three main reasons for adult adoptions:

- Formalizing a child-parent relationship so the family truly feels like they belong together.
- Inheritance rights—especially in trust funds and beneficiaries, where "relatives" or "children" are only mentioned generally, not by a specific name.
- Perpetual care for someone who has cognitive delays or other disabilities.

According to Adoption.com, the most common reason for adult adoptions is related to inheritance rights. However, most of the phone calls we receive at the Wisconsin Family Connections Center regarding adult adoption typically pertain to formalizing the adult-child relationship, particularly in cases of unmarried partner adoptions, stepparent adoptions, adoptions after guardianship, and adoptions of adults who were involved in the child welfare system.

Formalizing the Adult/Child Relationship

One common scenario for adult adoptions is in cases of unmarried couples. For example, a mother has two children whose biological father isn't part of their lives. Her boyfriend has raised the kids since they were toddlers, and they have always considered him their father.

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But in Wisconsin, it's not legal for the partner of an unmarried couple to adopt, so he was never able to adopt them when they were children. Now that they're adults, they've decided to make the family a legal family.

Similarly, some stepparents would like to adopt their stepchildren. For various reasons, they haven't been able to adopt them as children, but they have done so as adults.

Another call we get involves adopting from guardianship or the foster care system. For example, a family might be planning to adopt a sibling group. However, one of the children is 17, and the adoption isn't likely to go through before she turns 18. The family will still adopt the younger siblings as children, but will wait until the oldest is an adult.

In Dustin's case, his foster mom adopted his 16-year-old sister Heidi in July and offered to adopt him. He wanted to wait until his college financial aid was in place before formally joining the family, so he didn't lose his "independent" status. (The laws have since changed so that if you adopt a child after 13, that child can still be considered "independent" for financial aid.)

The years from birth to adulthood are roughly only one-fourth of someone's life. The remaining 75% of anyone's life is a significant time to have—or not have—a family.

The Process

So, what's involved in an adult adoption? Since the adoption is between two consenting adults, it's a relatively straightforward process (although complications sometimes arise within the legal system). You don't need to complete a home study, file a termination of parental rights, or involve a social worker. In most cases, you don't even need an attorney. The actual Petition For Adoption legal form (see Resources, page 3) is the same as for a child adoption, but with fewer steps:

- Fill out the Petition for Adult Adoption form.
- Fill out the Consent to Adult Adoption form.
- Request a court date from your local clerk of courts.
- Go to court and finalize the adoption.

After an adult adoption in Wisconsin, you'll get a new birth certificate for the person being adopted. It's important to be mindful that, unlike with child adoptions, an adult adoption does not automatically change the adoptee's name or update their birth certificate.

If the adult wants to change their name, they must file a separate name change request with the Clerk of Court in the county where they live. This is a different process with its own forms, steps, and fees. It can be filed before, at the same time as, or after the adoption petition hearing.

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When adoption and name change hearings occur simultaneously, the new name is typically added to the birth certificate immediately. If the name change occurs at a later date, the adult adoptee will need to submit a request to update their birth certificate, along with the official name change order received from the court, to the Wisconsin Office of Vital Records.

Just like adoptions of children, adult adoption records in Wisconsin are also sealed and kept confidential.

Need to Belong

Dustin's mom, Jen Bronsdon, says, "When I adopted Heidi at 16 and Dustin at 18, I didn't think anything would change. I had known them for six years, and we were family in most ways. But I was surprised— I'm still surprised!—at what a difference the legal distinction gave us. It gives you credibility that you didn't know was missing."

"When he got married," says Jen, "I wasn't the foster mother of the groom or the mother-like figure to the groom. I was the groom's mother, like any other mother of any other groom. I never considered that I had just as much of a need to belong to my kids as they had to belong to me."

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Resources

Tip Sheets

- Is Adoption or Guardianship a Better Fit?

Additional Resources

- Petition for Adult Adoption Form
- Consent to Adult Adoption Form
- Petition for Name Change for Adult or Minor 14 or Older Form
- Yes, You Can Adopt an Adult—Here's How
- Wisconsin State Statute: Adoption of Adults
- Fort Worth Couple Gains New Daughter in Adult Adoption 27 Years in the Making

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